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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**AMANDA HILL; and GAYLE
HYDE, Individually and On Behalf
of All Others Similarly Situated,**

Plaintiffs,

v.

QUICKEN LOANS INC.,

Defendant.

Case No.: 5:19-cv-00163-FMO-SP

CLASS ACTION

**PLAINTIFFS' RESPONSE IN
OPPOSITION TO DEFENDANT'S
MOTION TO STAY
PROCEEDINGS**

1 Plaintiffs Amanda Hill and Gayle Hyde, individually and on behalf of all
2 others similarly situated, submit this response in opposition to the Motion to Stay
3 (ECF No. 15 (the “Motion”)) filed by Defendant Quicken Loans, Inc.

4 ARGUMENT

5 On March 18, 2019, Defendant moved to stay this action pursuant to the so-
6 called “first-filed” doctrine, arguing it is “duplicative of and subsumed within two
7 earlier-filed class actions pending in the Middle District of Florida and the District
8 of Minnesota.” (ECF No. 15-1 at 5 (citing *Hackett v. Quicken Loans, Inc.*, No. 6:18-
9 cv-02151 (M.D. Fla.); *Hyde v. Quicken Loans, Inc.*, No. 0:19-cv-00196 (D. Minn.).)

10 Although the Motion was without merit to begin with, recent events have
11 rendered it completely moot. On April 1, 2019, the *Hyde* action was voluntarily
12 dismissed by the plaintiff pursuant to Rule 41(a) (see **Exhibit A** hereto (notice of
13 voluntary dismissal filed in *Hyde*)), and, later that same day, the plaintiff in the
14 *Hackett* action filed a motion for leave to amend his complaint pursuant to Rule
15 15(a)(2) (prior to the court-imposed amendment deadline) for the stated purpose of
16 removing his class-wide allegations and thereafter pursuing his claims on a purely
17 individual basis. (See **Exhibit B** hereto (motion for leave to amend filed in *Hackett*)).

18 There is thus is no longer any colorable basis to request a stay of this action
19 on the grounds that, as articulated in the Motion, “the *Hackett* and *Hyde* cases
20 purport to represent nationwide classes that would include Plaintiff as a class
21 member if those cases were somehow certified[.]” (ECF No. 15-1 at 5 (articulating
22 basis for requested stay pending resolution of *Hyde* and *Hackett*)). Rather, because
23 the *Hyde* action was dismissed and the plaintiff in the *Hackett* action no longer
24 “purport[s] to represent [a] nationwide class[.]” *id.*, the Motion is moot and this
25 litigation should proceed in the ordinary course.

26 CONCLUSION

27 For the foregoing reasons, the Motion should be denied as moot.
28

1 Dated: April 1, 2019

Respectfully submitted,

2 **HEDIN HALL LLP**

3 By: /s/ Frank S. Hedin
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CERTIFICATE OF SERVICE

I, Frank S. Hedin, electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Central District of California, using the electronic case filing system. I hereby certify that I have provided copies to all counsel of record electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

Dated: April 1, 2019

Respectfully submitted,

By: /s/ Frank S. Hedin
Frank S. Hedin